

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7039

BILL NUMBER: HB 1282

NOTE PREPARED: Jan 26, 2015

BILL AMENDED:

SUBJECT: Dental Hygiene Practice.

FIRST AUTHOR: Rep. Frizzell

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: The bill amends the definition of "prescriptive supervision" for purposes of the practice of dental hygiene. The bill provides that a dental hygienist may not use a laser that cuts hard or soft tissue to provide treatment to a patient. The bill requires that if a dental hygienist practices under the prescriptive supervision of a licensed dentist, the dentist's written authority must be recorded, signed, and dated in the patient's records.

Effective Date: July 1, 2015.

Explanation of State Expenditures: *Summary-* Hygienists who violate a provision of the bill could be subject to disciplinary sanction by the Indiana State Board of Dentistry. Holding hearings on potential disciplinary matters is a routine function of professional boards. Therefore, it is likely the Board of Dentistry would be able to conduct any additional hearings that the bill could generate within existing board meetings.

Under current law, license holders are responsible for remaining up to date with changes to their professions. The PLA also emails affected license holders to notify them of statutory changes and provide a web link to the changed statutes. The PLA may also update their website of the changes within the bill pertaining to dental hygienists. Additionally, professional associations usually notify their members of recent statutory changes.

Additional Information- A professional board may take the following disciplinary action against a licensed individual:

- (1) Permanently revoke a practitioner's license.
- (2) Suspend a practitioner's license.
- (3) Censure a practitioner.
- (4) Issue a letter of reprimand.
- (5) Place a practitioner on probation status with certain requirements.
- (6) Assess a fine against the practitioner in an amount not to exceed \$1,000 for each violation.

Explanation of State Revenues: *Summary-* A professional board can assess fines against practitioners in violation of state statute regulating their scope of practice. Penalties may not exceed \$1,000 for each violation. Penalties also are assessed considering the practitioner's ability to pay. Penalty fees are placed in the state General Fund. However, any additional revenue would likely be small.

Additional Information- As of June 30, 2014, there were 4,901 dental hygienists with an active license in Indiana.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Professional Licensing Agency, State Board of Dentistry, Indiana Office of Technology.

Local Agencies Affected:

Information Sources: Professional Licensing Agency, June 30, 2014, active license count.

Fiscal Analyst: Chris Baker, 317-232-9851.